



PATENT
Docket No. 7031292001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: P. Singh

App. No: 09/772,100

Filed: January 26, 2001

For: HIGH TEMPERATURE METHOD
FOR BROWNING PRECOOKED,
WHOLE MUSCLE MEAT PRODUCTS

New Docket No.: 7031292001

Prior Docket No.: 42892

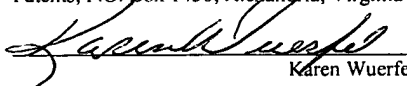
Group Art Unit: 1761

Examiner: Nina Bhat

Certificate of Mailing Under
37 C.F.R. § 1.8

Date of Deposit: August 11, 2003

Pursuant to 37 C.F.R. § 1.8, I hereby certify that this correspondence and any attachments referred to as being attached or enclosed is being deposited with the United States Postal Service on the date shown above with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Karen Wuerfel

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached forms PTO/SB/08A/B are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

These references were previously submitted on February 19, 2003. The references were organized into two boxes, however, only "Box 1 of 2" was received. Accordingly, Applicant re-submits the references in "Box 2 of 2" herewith. A copy of the previously submitted Information Disclosure Statement is also submitted herewith for reference. The Examiner is respectfully requested to make these documents of record.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).

the PTO did not receive the following
listed items(s)

- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No.[] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☒ Copies of all of the previously submitted items in "Box 2 of 2" are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO/SB/08A are enclosed: _____.
- ☐ Copies of the items listed in the attached Form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. _____ filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C § 120.
See 37 C.F.R. § 1.98(d).
- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO/SB/08A were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items in "Box 2 of 2" is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO/SB/08A is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

☐ Applicants bring to the Office's attention the following related, co-pending application(s):

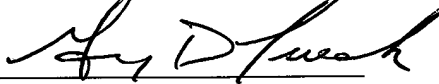
V. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

The Commissioner is hereby authorized to charge Deposit Account No. 50-2518, billing reference number: 7031292001 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,
BINGHAM MCCUTCHEN LLP

By: 
Gary D. Lueck
Registration No. 50,791

Dated: August 11, 2003

Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Telephone: (213) 680-6400
Facsimile: (213) 680-6499